IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Bail Appl..No. 1228 of 2007()

CRMP.198/2007 of SESSIONS COURT, WYNAD, KALPETTA

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: PETITIONER/ACCUSED

K.A.MATHEW, S/O.LATE AUGUSTIN,
KUMBALATTUKUNNEL HOUSE, THRISSILERY,
P.O.MANANTHAVADY, WAYANAD DT.

BY ADV. SRI.KRISHNA PRASAD. S
SRI.S.ASHOK KUMAR.

RESPONDENTS: COMPLAINANT AND STATE

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REPRESENTING SUB INSPECTOR OF POLICE,
THIRUNELLY POLICE STATION, WAYANAD DISTRICT.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.1228 OF 2007

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DATED THIS THE 1ST DAY OF MARCH, 2007

O R D E R

Petitioner who is the accused in Crime No.15/07 of Thirunelly Police Station, for an offence punishable under section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 seek anticipatory bail.

2. Even though anticipatory bail cannot be granted in view of the bar under section 18 of the aforesaid Act, having regard to the fact that the only role attributed to the petitioner is that while deceased Chathan was being rushed to the hospital, the petitioner is alleged to have made a statement that Chathan belongs to Adiyan community and therefore some of his relatives should accompany him to hospital, otherwise those who take him to hospital would land themselves in trouble, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 07.03.2007 and 09.03.2007 for the purpose of interrogation. The petitioner shall thereafter be produced on the same day before the Magistrate having jurisdiction who shall release the petitioner on bail on appropriate conditions.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn